

US Application No. 10/021224

**REMARKS**

Applicant respectfully requests reconsideration of the application in view of the following remarks and amendments.

**Claim Status**

Claims 1, 2 and 4-20 are pending in the application and claims 1, 2, 4-10, 12, 13, and 16 stand rejected. Claims 11, 14, and 15 stand objected to for being dependent upon a rejected base claim. Applicant acknowledges with thanks the allowance of Claims 17-20.

**Claim Amendments**

Applicant has canceled Claims 5-7 and Claim 15. Claims 1, 9, 12, 13 and 16 are amended to more clearly recited that representative images are grouped by partitioning the three-dimensional graphical environment into three-dimensional bounded areas and by displaying related groups of representative images within the areas, wherein representative images are related dependent on the selected scheme. These amendments are supported by the present application on paragraph 23, 24, paragraph 26 and Figs. 5A-5D.

**Rejections under 35 U.S.C. § 102(b)**

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 1, 2, 4-10, 12, 13, and 16 allegedly stand rejected under 35 U.S.C. 102(b) as being anticipated by Wright (U.S. Patent Application Publication 2002/0091679). This rejection is respectfully traversed because the claimed invention as set forth in independent

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Claims 1 and 12 and the claims that depend therefrom are patentably distinguishable over the disclosure contained in the Wright document.

The present invention as recited in Claim 1 is a method for browsing a plurality of data objects displayed within a three-dimensional graphical environment. As recited in amended Claim 1 data objects are displayed by:

“providing a plurality of selectable data object arrangement schemes;

grouping corresponding images representing the data objects within the environment dependent on a selected one of the schemes;

wherein grouping representative images further comprising partitioning the three-dimensional graphical environment into three-dimensional bounded areas and displaying related groups of representative images within the areas, wherein representative images are related dependent on the selected scheme.”

Figs. 5A-5D show examples of different arrangements of data objects displayed within an exemplary graphical environment according to the present invention. As shown, the “three-dimensional areas” are bounded as recited in amended Claims 1 and 12. In the embodiment shown in Figs. 5A-5D, the areas are embodied as rooms within an indoor graphical environment. This environment provides the browser with an intuitive browsing experience similar to browsing through a brick and mortar business (paragraphs 26 and 31). Moreover, by displaying related groups of representative images within partitioned three-dimensional areas, the present invention uses the environment to visually group the representative images according to a selected grouping scheme.

In contrast, Wright does not describe displaying related groups of representative images within partitioned bounded three-dimensional areas. Wright instead provides a user with the ability to “define layers and specify options for each layer” (paragraph 38). Wright’s Fig. 3 shows the user interface for specifying a single layer. According to Wright, “The position of objects may be specified using the sorting box 146.” As shown in Fig. 3, the sorting box provides two fields, “x-sort” and “y-sort”. Wright shows in Fig. 3 that locations of objects can be specified by x and y coordinates for a single two-dimensional layer (paragraph 41). Wright also uses “color, size, shape, and positions . . . to convey metadata about displayed objects and/or links” (abstract). In other words, instead of partitioning an environment into three-dimensional bounded areas and displaying related groups of

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representative images within the areas as recited in Claims 1 and 12 of the subject invention, Wright changes the characteristics of the object (color, position, size, shape) to "convey metadata".

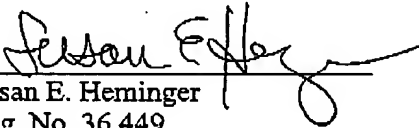
Moreover, the Wright document is absent any reference to an environment (partitioned or not) in which objects are displayed within. As shown in Fig. 2 of Wright, objects are displayed on a blank screen. Hence, Wright teaches away from the present invention.

Since Wright does not teach each and every element of the claimed invention, the cited reference fails to anticipate Claims 1, 2, 4-10, 12, 13, and 16 under 35 U.S.C. 102(b) and, thus, the claimed invention is distinguishable over Wright et al.

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Respectfully submitted,

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